

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVARIUS LAVALLE RIGGINS,

Plaintiff,

v.

EVERETT MITCHELL
and ANDRA NOLLENDORFS,

Defendants.

ORDER

Case No. 17-cv-195-jdp

Plaintiff Davarius Lavalle Riggins has filed a proposed civil complaint and requested leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed with prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than April 6, 2017. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Davarius Lavalle Riggins may have until April 6, 2017 to submit a trust fund account statement for the period beginning approximately September 12, 2016 and ending approximately March 12, 2017. If, by April 6, 2017, plaintiff fails to

respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 15th day of March, 2017.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge